

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re : Chapter 11 Case No.

:
LEHMAN BROTHERS HOLDINGS INC., *et al.*, : 08-13555 (JMP)

:
Debtors. : (Jointly Administered)
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DESIGNATION OF RECORD AND ISSUES UPON APPEAL

Record

| | | |
|------|------------|---|
| 6704 | 1/19/2010 | Notice of Appeal - Protective/Prospective/Obstructive Notice of Appeal of the Settlement Between The Del Administrator of Lehman Brothers Bankhaus, AG (In Insolvenz) filed by William Kuntz III. (Lopez, Mary) Debtor: Lehman Brothers Holdings Inc. |
| 6824 | 1/29/2010 | So Ordered Stipulation and Order Signed on 1/29/2010 Restricting Use of Alleged Cash Collateral Pursua Bankruptcy Rule 4001(d) between Lehman Brothers Special Financing Inc. and Dr. Michael C. Frege in hi (Insolvenzverwalter) over the Assets of Lehman Brothers Bankhaus Aktiengesellschaft i. Ins. (related do Debtor: Lehman Brothers Holdings Inc. |
| 6665 | 1/14/2010 | Order Signed on 1/14/2010 Authorizing and Approving a Settlement Agreement with the Insolvency Adm Bankhaus AG (In Insolvenz). (Related Doc # [6303]) (Nulty, Lynda) Debtor: Lehman Brothers Holdings Inc. |
| TBD | TRANSCRIPT | |

ISSUES

THAT THE COURT FAILED TO APPLY THE APPROPRIATE STANDARD FOR SUCH A SETTLEMENT IN LIGHT
OF THE EVIDENCE OF THE SUBSTANTIAL RISK TO THE ESTATE

THAT THE COURT HAS FAILED TO DETERMINE WHAT IS THE APPROPRIATE STANDARD FOR LEHMAN TO
TAKE RISKS WITH IT'S LIMITED CASH

THAT THE AVOIDANCE OF LITIGATION RISK IS INSUFFICIENT TO SUPPORT A SETTLEMENT PRIOR TO THE
CONFIRMATION OF A PLAN OF REORGANIZATION OF THE DEBTOR

RESPECTFULLY SUBMITTED


WILLIAM KUNTZ, III INDIA ST PO BOX 1801 NANTUCKET ISLAND, MA 02554-1801 508-435-5858<APRIL>

Jan 29, 2009 NASSAU BAHAMAS

FILED
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